IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ITR No.30 of 1995
Date of decision:26.10.2006

Brij Hosiery Factory Civil Lines Ludhiana

....Petitioner

versus

Commissioner of Income Tax, Patiala

....Respondent

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE RAJESH BINDAL

Present: None for the assessee.
Mr. SK Garg Narwana, Advocate, for the revenue.

JUDGMENT:

This reference has been made at the instance of the assessee, proposing following question of law for the opinion of this Court, arising out of the order of the Income Tax Appellate Tribunal, Chandigarh Bench, Chandigarh, dated 20.9.1989 in ITA No.1999/Chandi/86, for assessment year 1970-71:-

> "Whether, on the facts and circumstances of the case, the Tribunal was justified in law in upholding the initiation of reassessment proceedings?"

The assessee is engaged in the manufacture of hosiery goods. The Assessing officer made assessment for the assessment year 1970-71 at a total income of Rs.36,760/-. Thereafter, re-assessment was made on the ground that the assessee had shown two loans of Rs.10,000/- each from one Jagan Nath, genuineness of which was not proved. Similarly, loan of Rs.10,000/- from Gian Chand was also held to be not proved. The Assessing Officer made an addition of Rs.30,000/- on this ground and a sum of

Rs.900/- which was claimed to have been paid as interest.

The above view was upheld by the appellate authority and the Tribunal.

When the reference was called out for hearing, none appeared for the assessee.

In view of the above, we do not consider it appropriate to go into the merits of the case.

Accordingly, the reference is returned unanswered.

(Adarsh Kumar Goel)
Judge

October 26, 2006
'gs'

(Rajesh Bindal)
Judge